



Atty. Dkt. No. 067286-0276

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: James C. KENNEDY et al.

Title: PHOTOCHEMOTHERAPEUTIC METHOD  
USING 5-AMINO LEVULINIC ACID AND  
PRECURSORS THEREOF

Appl. No.: 10/605,824

Filing Date: 10/29/2003

Examiner: Unassigned

05/11/2004 YC:ADW/LC 000000021150741 10605824

01 FC:1806 180.00 DA

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO/SB/08 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/816,329, filed 03/26/2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

*Plas  
Charged*

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

**RELEVANCE OF EACH DOCUMENT**

The relevance of the listed documents is explained in the parent application.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 26 March 2004

By



FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5475  
Facsimile: (202) 672-5399

Beth A. Burrous  
Attorney for Applicants  
Registration No. 35,087